



PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/977,895 Confirmation No.: 3472
Applicant(s): Lee et al.
Filed: October 15, 2001
Art Unit: 3622
Examiner: Alvarez, Raquel
Title: METHOD OF PREVENTING REDUCTION OF SALES AMOUNT
OF RECORDS DUE TO DIGITAL MUSIC FILE ILLEGALLY
DISTRIBUTED THROUGH COMMUNICATION NETWORK
Docket No.: 046911/253104
Customer No.: 00826

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

RESPONSE TO RESTRICTION REQUIREMENT

Examiner Alvarez:

This is in response to the Restriction Requirement dated April 26, 2005, in which the Examiner has required restriction between two distinct species, specifically Group I; Claims 1-5 directed toward a method for producing an advertising music file and Group II; Claims 6-10 directed toward a method for collecting illegally produced digital music files. Applicant hereby elects without traverse to prosecute the claims of Group I (Claims 1-5) and expressly reserves the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

In light of the provisional election, kindly cancel Claims 6-10 from the present application.

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned attorney so that further examination of this application can be expedited.

Appl. No.: 09/977,895
Filed: October 15, 2001
Page 2

It is not believed that extensions of time or related fees are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

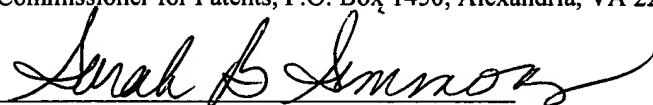


James C. Edwards
Registration No. 44,667

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment,
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 26, 2005.



Sarah B. Simmons